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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To amend title 18, United States Code, to establish an Office of Correctional Education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CUMMINGS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 18, United States Code, to establish an Office of Correctional Education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Reentry
5 Through Education in Prisons Act of 2019” or the
6 “PREP Act”.

7 **SEC. 2. FINDINGS; PURPOSE.**

8 (a) FINDINGS.—Congress finds the following:

1 (1) Over the course of an 8-year-period fol-
2 lowing the release of individuals from Federal pris-
3 ons, the United States Sentencing Commission
4 found that 49.3 percent of such individuals were re-
5 arrested, 31.7 percent were reconvicted, and 24.6
6 percent were reincarcerated.

7 (2) The Bureau of Justice Statistics found that
8 over a similar time period as described in paragraph
9 (1), 83 percent of people released from State prisons
10 were rearrested.

11 (3) A broad spectrum of correctional education
12 programming can prepare individuals for the con-
13 temporary workforce pre-release, ensuring that upon
14 release the individuals are best situated to be pro-
15 ductive members of their communities.

16 (4) Education for people in prisons has a clear
17 public safety benefit, reducing recidivism rates by
18 over 43 percent.

19 (5) Employment is 13 percent higher for indi-
20 viduals who participated in either academic or voca-
21 tional programs in prison, and 28 percent higher for
22 individuals who participated in vocational programs
23 alone.

24 (6) During the first 3 years after an individual
25 is released, each dollar spent on funding prison edu-

1 cation programs reduces incarceration costs by 4 to
2 5 dollars.

3 (7) Correctional education helps to improve the
4 safety of the prison environment, not only for incar-
5 cerated individuals, but also for correctional officers
6 and prison staff.

7 (8) A 2016 analysis of the Bureau of Prisons
8 education programs found that the Bureau of Pris-
9 ons spends 20 percent as much on inmate education
10 as the nearest sized State prison systems and experi-
11 ences a proportionally low return.

12 (9) The 2016 analysis described in paragraph
13 (8) also found that the Bureau of Prisons lacked the
14 staff, programmatic strategy and alignment, budget,
15 assessment, and educational support to effectively
16 administer educational programs.

17 (b) PURPOSE.—The purpose of this Act is to create
18 a dedicated office within the Bureau of Prisons to—

19 (1) improve the correctional educational pro-
20 gramming provided by the Bureau of Prisons;

21 (2) ensure access to quality programs across all
22 Federal penal and correctional institutions;

23 (3) create partnerships with education providers
24 to offer quality programs; and

1 (4) create a repository of research and best
2 practices to State and local correctional institutions.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) ASSISTANT DIRECTOR.—The term “Assist-
6 ant Director” means the Assistant Director for Cor-
7 rectional Education appointed under section 4142(b)
8 of title 18, United States Code, as added by this
9 Act.

10 (2) DIRECTOR.—The term “Director” means
11 the Director of the Bureau of Prisons.

12 **SEC. 4. OFFICE OF CORRECTIONAL EDUCATION.**

13 (a) IN GENERAL.—Part III of title 18, United States
14 Code, is amended by inserting after chapter 307 the fol-
15 lowing:

16 **“CHAPTER 308—EDUCATION**

“Sec.

“4141. Definitions.

“4142. Office of Correctional Education.

“4143. Federal Correctional Education Program.

17 **“§ 4141. Definitions**

18 “In this chapter:

19 “(1) ASSISTANT DIRECTOR.—The term ‘Assist-
20 ant Director’ means the Assistant Director for Cor-
21 rectional Education appointed under section
22 4142(b).

1 “(2) DIRECTOR.—The term ‘Director’ means
2 the Director of the Bureau of Prisons.

3 “(3) DISABILITY.—The term ‘disability’ has the
4 meaning given the term in section 3 of the Ameri-
5 cans with Disabilities Act of 1990 (42 U.S.C.
6 12102).

7 “(4) HIGH SCHOOL DIPLOMA.—The term ‘high
8 school diploma’ has the meaning given the term in
9 section 8101 of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 7801).

11 **“§ 4142. Office of Correctional Education**

12 “(a) PURPOSES.—The purposes of this chapter are
13 to—

14 “(1) ensure that all Federal penal and correc-
15 tional institutions provide quality educational pro-
16 grams for incarcerated individuals;

17 “(2) be a nationwide repository for research,
18 policies, and best practices in correctional education;
19 and

20 “(3) offer training and technical assistance for
21 State prison systems.

22 “(b) ESTABLISHMENT OF THE OFFICE OF CORREC-
23 TIONAL EDUCATION.—The Director shall establish within
24 the Bureau of Prisons an Office of Correctional Edu-

1 cation, which shall be headed by an Assistant Director for
2 Correctional Education appointed by the Director.

3 “(c) FUNCTIONS OF THE OFFICE OF CORRECTIONAL
4 EDUCATION.—The Office of Correctional Education re-
5 quired to be established under this section shall ensure
6 the provision of educational services for incarcerated indi-
7 viduals in all Federal penal and correctional institutions,
8 including programs such as adult literacy, basic skills de-
9 velopment, education toward a regular high school diploma
10 or its recognized equivalent, postsecondary education,
11 workforce development, that leads to an industry-recog-
12 nized credential, a certificate, or an associate degree, pre-
13 apprenticeships, registered apprenticeships, career and
14 technical education, and expanded opportunities for indi-
15 viduals with a disability, including by—

16 “(1) implementing the Federal Correctional
17 Education Program under section 4143;

18 “(2) coordinating and standardizing quality,
19 evidence-based, and effective education programs
20 and services across all Federal penal and correc-
21 tional institutions;

22 “(3) coordinating relevant Federal agencies in
23 providing quality educational services, including by
24 consulting with the Office of Career, Technical, and
25 Adult Education of the Department of Education;

1 “(4) coordinating with the Secretary of Vet-
2 erans Affairs to identify and provide information to
3 incarcerated veterans regarding potential eligibility
4 for educational assistance under laws administered
5 by the Secretary, including educational assistance
6 under chapters 30 and 33 of title 38, United States
7 Code;

8 “(5) conducting research and issuing reports on
9 correctional education best practices, particularly as
10 it relates to pedagogy and instruction of incarcerated
11 people;

12 “(6) providing training and technical assistance
13 for State prison systems to improve correctional edu-
14 cation; and

15 “(7) coordinating with the Bureau of Justice
16 Statistics, the National Institute of Justice, National
17 Center for Education Statistics, the National Insti-
18 tute of Corrections, and other relevant agencies as
19 designated by the Assistant Director in collecting
20 and reporting Federal and State data on—

21 “(A) the number of individuals who enroll
22 in and complete a correctional education pro-
23 gram, including a career and technical edu-
24 cation sequence, earn a regular high school di-
25 ploma or its recognized equivalent, or enroll in

1 and earn a postsecondary degree or certificate,
2 while incarcerated;

3 “(B) the number of individuals who do not
4 complete an education program described in
5 subparagraph (A) and the reasons for non-com-
6 pletion;

7 “(C) any State or Federal prohibitions or
8 limitations on employment for individuals with
9 felony convictions;

10 “(D) the correlation between participating
11 in or completing a program described in sub-
12 paragraph (A) and continued educational en-
13 rollment, both in-custody and post-release;

14 “(E) the correlation between participating
15 in and completing a program described in sub-
16 paragraph (A) with post-release outcomes, in-
17 cluding job placement, job retention, and recidi-
18 vism;

19 “(F) the correlation between participating
20 in and completing a program described in sub-
21 paragraph (A) with in-custody outcomes, in-
22 cluding enrollment in other education or train-
23 ing programs and reduction in citations;

24 “(G) the impact of the correlation de-
25 scribed in subparagraphs (C) and (D) on over-

1 all corrections spending through factors such
2 as—

3 “(i) impacts on recidivism;

4 “(ii) spending on Federal penal and
5 correctional institutions and State prisons;
6 and

7 “(iii) other relevant factors; and

8 “(H) other relevant data.

9 **“§ 4143. Federal Correctional Education Program**

10 “(a) DEFINITIONS.—In this section:

11 “(1) DEMONSTRATED EFFECTIVENESS.—The
12 term ‘demonstrated effectiveness’ means the past ef-
13 fectiveness of an eligible provider demonstrated by
14 providing—

15 “(A) performance data on its record of im-
16 proving the skills of eligible students, particu-
17 larly eligible individuals who have low levels of
18 literacy, in the content domains of reading,
19 writing, mathematics, English language acquisi-
20 tion, and other relevant subject areas; and

21 “(B) information regarding its outcomes
22 for participants related to program completion,
23 employment attainment, pursuit of additional
24 education, and other relevant factors.

1 “(2) ELIGIBLE PROVIDER.—The term ‘eligible
2 provider’ means an organization that has dem-
3 onstrated effectiveness in providing programs such
4 as adult literacy, basic skills development, education
5 toward a regular high school diploma or its recog-
6 nized equivalent, postsecondary education, workforce
7 readiness, apprenticeships, career and technical edu-
8 cation, and programing individuals with learning dis-
9 abilities, which may include—

10 “(A) an institution of higher education;

11 “(B) a local educational agency;

12 “(C) a community-based organization or
13 faith-based organization;

14 “(D) a volunteer literacy organization;

15 “(E) a public or private nonprofit agency;

16 “(F) a nonprofit institution that is not de-
17 scribed in subparagraphs (A) through (E) and
18 has the ability to provide adult education and
19 literacy activities to eligible individuals;

20 “(G) a consortium or coalition of the agen-
21 cies, organizations, and institutions described in
22 any of subparagraphs (A) through (F); and

23 “(H) a partnership between an employer
24 and an entity described in any of subpara-
25 graphs (A) through (G).

1 “(3) ELIGIBLE STUDENT.—The term ‘eligible
2 student’ means an individual who is incarcerated in
3 a Federal correctional facility.

4 “(4) INSTITUTION OF HIGHER EDUCATION.—
5 The term ‘institution of higher education’ has the
6 meaning given the term in section 101(a) of the
7 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

8 “(5) PROGRAM.—The term ‘Program’ means
9 the Federal Correctional Education Program re-
10 quired to be established under subsection (b)(1).

11 “(b) AUTHORIZATION.—

12 “(1) IN GENERAL.—The Assistant Director
13 shall establish a Federal Correctional Education
14 Program to develop and support partnerships be-
15 tween eligible providers and Federal correctional fa-
16 cilities to provide quality educational opportunities
17 to facilitate successful community reintegration.

18 “(2) SELECTION OF ELIGIBLE PROVIDERS.—
19 The Assistant Director shall select eligible providers
20 to partner with Federal correctional facilities to de-
21 velop quality programs for eligible students, which
22 shall include correctional education programs, such
23 as—

24 “(A) adult literacy;

25 “(B) basic skills development;

1 “(C) education toward a regular high
2 school diploma or its recognized equivalent;

3 “(D) postsecondary education;

4 “(E) workforce development that leads to
5 an industry recognized credential, a certificate,
6 or an associate degree;

7 “(F) apprenticeships; and

8 “(G) career and technical education.

9 “(3) QUALITY PROGRAMS.—When determining
10 which eligible providers will be selected for participa-
11 tion in the Program, the Assistant Director shall—

12 “(A) consider the evidence that an eligible
13 provider demonstrates a strong record on stu-
14 dent outcomes and successful community re-
15 integration that shall include—

16 “(i) high rates of program completion;

17 “(ii) a demonstrated record of a re-
18 duction in recidivism rates, if available;

19 “(iii) success in securing employment,
20 if available;

21 “(iv) employment retention, if avail-
22 able;

23 “(v) housing stability, if available; and

24 “(vi) other relevant factors; and

1 “(B) give preference to eligible providers
2 that demonstrate success in the categories de-
3 scribed in subparagraph (A).

4 “(4) DIPLOMA MILLS.—The Assistant Director
5 will prevent diploma mills (as defined in section 103
6 of the Higher Education Act of 1965 (20 U.S.C.
7 1003)) from participating in the Program.

8 “(c) PARTICIPATION BY ELIGIBLE PROVIDERS.—

9 “(1) IN GENERAL.—An eligible provider that
10 desires to participate in the Program under this sec-
11 tion shall—

12 “(A) develop a quality program, in coordi-
13 nation with the Federal correctional facility
14 with which the institution is in partnership, for
15 eligible students, in which the Federal correc-
16 tional facility shall administer the logistics of
17 the program, such as—

18 “(i) scheduling;

19 “(ii) location and space;

20 “(iii) security; and

21 “(iv) other logistical factors;

22 “(B) ensure that all eligible students with-
23 out a verifiable high school diploma or its rec-
24 ognized equivalent receive adult literacy, basic
25 adult education, skills development, and edu-

1 cation toward a regular high school diploma or
2 its recognized equivalent; and

3 “(C) prioritize workforce development pro-
4 grams that prepare eligible students for in-de-
5 mand sectors or occupations from which they
6 are not legally barred from entering due to re-
7 strictions on formerly incarcerated individuals
8 obtaining any necessary licenses or certifi-
9 cations for those occupations, and in doing so,
10 providers shall—

11 “(i) consider State licensing require-
12 ments, administrative barriers, and waiver
13 provisions that will impact eligible students
14 in certain occupations when designing their
15 programs; and

16 “(ii) inform eligible students prior to
17 participation in programs of potential pro-
18 hibitions or limitations to licensing or em-
19 ployment upon release depending on the
20 program offered and the States in which
21 eligible students settle.

22 “(2) INFORMATION TO ELIGIBLE STUDENTS.—
23 Eligible providers that participate in the Program
24 under this section shall, as applicable—

1 “(A) disclose to eligible students and the
2 Office of Correctional Education information
3 about any part of the academic program devel-
4 oped under this section that, by design, cannot
5 be completed while a student is incarcerated, as
6 well as the options available for an eligible stu-
7 dent to complete any remaining program re-
8 quirements post-release;

9 “(B) offer eligible students who are re-
10 leased while in enrolled in correctional edu-
11 cation the opportunity to continue the students’
12 enrollment in the academic program and trans-
13 fer credits earned if the student is released
14 from the Federal correctional facility prior to
15 completion of the correctional education pro-
16 gram;

17 “(C) inform eligible students of the aca-
18 demic and financial aid options available if the
19 students are not able to complete the academic
20 program while incarcerated, including whether
21 the eligible students can continue in the pro-
22 gram after release, transfer credits earned in
23 the program to another program offered by the
24 institution, or transfer credits earned in the

1 program to another institution of higher edu-
2 cation;

3 “(D) for eligible students who wish to con-
4 tinue their education upon release—

5 “(i) offer academic advising; and

6 “(ii) offer appropriate financial aid
7 counseling, including Federal and State fi-
8 nancial aid and student loan counseling;
9 and

10 “(E) offer eligible students career coun-
11 seling and job placement assistance upon cor-
12 rectional education program completion and re-
13 lease from custody.

14 “(3) INFORMATION TO THE OFFICE OF COR-
15 RECTIONAL EDUCATION.—An eligible provider that
16 participates in the Program under this section shall
17 submit to the Assistant Director—

18 “(A) a plan for providing academic and ca-
19 reer guidance to eligible students, as well as
20 transition services, to support successful com-
21 munity reintegration of such students; and

22 “(B) relevant information about the eligi-
23 ble students participating in the Program it re-
24 lates to subparagraph (A).

1 “(d) TECHNICAL ASSISTANCE.—The Assistant Direc-
2 tor shall work with relevant Federal agencies to provide
3 technical assistance to eligible providers, and the Federal
4 correctional facilities with which they are in partnership,
5 developing new quality academic programs for eligible stu-
6 dents, or expanding existing programs.

7 “(e) ANNUAL REPORT.—

8 “(1) IN GENERAL.—An eligible provider that
9 participates in the Program, working with the Fed-
10 eral correctional facility with which it is in partner-
11 ship, shall submit to the Assistant Director an an-
12 nual report on the provider’s academic program for
13 eligible students, including implementation and re-
14 sults.

15 “(2) CONTENTS OF REPORT.—Each annual re-
16 port submitted under paragraph (1) shall include in-
17 formation on—

18 “(A) courses and programs offered;

19 “(B) numbers, rates, and types of certifi-
20 cates and degrees awarded;

21 “(C) the partnership with the Federal cor-
22 rectional facility, including information on space
23 allocation, resources, staffing, and other rel-
24 evant information on effective collaboration;

1 “(D) the effectiveness of the various cor-
2 rectional education program’s length, and the
3 value of credentials or degrees earned with dif-
4 ferent credit length;

5 “(E) the variance of different doses or
6 credit length by educational program;

7 “(F) the models of instruction, curriculum,
8 and other characteristics of program delivery
9 that are most effective in a correctional envi-
10 ronment;

11 “(G) challenges in providing programs and
12 courses in the prison settings;

13 “(H) how such challenges were addressed;

14 “(I) suggestions for the agency to assist in
15 addressing challenges;

16 “(J) impacts on the environment and safe-
17 ty of the correctional facility;

18 “(K) average and projected costs, overall
19 and per student, of the program;

20 “(L) student demographic data, including
21 age, gender, race, ethnicity, and security or cus-
22 tody level; and

23 “(M) other relevant data.

24 “(f) EVALUATION.—

1 “(1) IN GENERAL.—The Assistant Director, in
2 coordination with the National Institute of Correc-
3 tions and the Secretary of Education, shall conduct
4 an evaluation of the Program that assesses—

5 “(A) in-custody outcomes, including im-
6 pacts on tickets, segregation, program partici-
7 pation outside of education, and continued en-
8 rollment in correctional education programs;

9 “(B) post-release outcomes, including—

10 “(i) postsecondary enrollment in and
11 continuance of education by eligible stu-
12 dents after release;

13 “(ii) degree attainment from an insti-
14 tution of higher education;

15 “(iii) progress toward a degree in
16 credits or time;

17 “(iv) continued participation in edu-
18 cational programs after release;

19 “(v) factors related to the pursuit of
20 education, such as housing attainment; and

21 “(vi) other relevant factors;

22 “(C) safety in correctional facilities;

23 “(D) the demand for participation in cor-
24 rectional education programs, including the size
25 of waiting lists;

1 “(E) employment outcomes of participants;

2 “(F) impacts on recidivism; and

3 “(G) other relevant data.

4 “(2) DISAGGREGATION.—The data collected
5 through the evaluation required under paragraph (1)
6 shall, to the extent practicable, be disaggregated by
7 program provider to facilitate selection of eligible
8 providers under subsection (b).

9 “(3) STUDENT OUTCOMES.—The evaluation de-
10 scribed in paragraph (1) shall gather data on eligible
11 students while incarcerated and for the 3- and 5-
12 year periods post-release from incarceration.

13 “(4) PARTNERSHIP.—The evaluation described
14 in paragraph (1) shall be conducted in partnership
15 with one or multiple external evaluators.

16 “(5) PUBLICATION.—Not later than 180 days
17 after the date on which the evaluations required
18 under paragraph (1) is completed, the Assistant Di-
19 rector shall—

20 “(A) submit the evaluation, including rec-
21 ommendations for Program improvements, to
22 Congress; and

23 “(B) publish the evaluation.

24 “(g) MATCHING FUNDS.—The Federal share of the
25 cost of an academic program carried out under this section

1 may not exceed 75 percent of the total cost of the aca-
 2 demic program.

3 “(h) ALLOCATION OF FUNDS.—For fiscal years 2020
 4 through 2026, of the amounts appropriated to the Bureau
 5 of Prisons, \$170,000,000 shall be used to carry out sub-
 6 section (b).”.

7 (b) AMENDMENT TO DUTIES OF THE BUREAU OF
 8 PRISONS.—Section 4042(a) of title 18, United States
 9 Code, is amended—

10 (1) in subparagraph (D)—

11 (A) by striking “(D) establish” and insert-
 12 ing “(6) establish”; and

13 (B) in clause (ii), by striking “and” at the
 14 end;

15 (2) by inserting after paragraph (6), as so re-
 16 designated, the following:

17 “(7) establish the Office of Correctional Edu-
 18 cation required under section 4142; and”; and

19 (3) in subparagraph (E), by striking “(E) es-
 20 tablish” and inserting “(8) establish”.

21 (c) TABLE OF CHAPTERS AMENDMENT.—The table
 22 of chapters for part III of title 18, United States Code,
 23 is amended by inserting after the item relating to section
 24 307 the following:

“308. Education 4141”.

1 **SEC. 5. CORRECTIONAL EDUCATION RESEARCH, POLICES,**
2 **AND BEST PRACTICES.**

3 (a) IN GENERAL.—The Assistant Director, in col-
4 laboration with relevant Federal agencies, including the
5 Department of Education, State correctional agencies,
6 State and local correctional institutions, civil rights orga-
7 nizations, criminal justice organizations, and research
8 agencies and organizations, shall establish and maintain
9 a clearinghouse for research, policies, and best practices
10 on quality correctional education programs.

11 (b) INFORMATION TO THE PUBLIC.—The Assistant
12 Director shall maintain information and resources on the
13 public-facing website of the Bureau of Prisons.

14 **SEC. 6. TRAINING AND TECHNICAL ASSISTANCE.**

15 (a) IN GENERAL.—The Assistant Director shall use
16 funds available to the Bureau of Prisons to provide State
17 correctional institutions with training and technical assist-
18 ance on developing and implementing policies and proce-
19 dures for quality correctional education programs.

20 (b) PARTNERSHIP.—Federal correctional and penal
21 institutions with correctional education programs estab-
22 lished under section 4143 of title 18, United States Code,
23 as added by this Act, may partner with State and local
24 correctional institutions and education providers located in
25 the same State or region to facilitate training and tech-

1 nical assistance to improve the quality of correctional edu-
2 cation offered in State prisons.

3 **SEC. 7. CORRECTIONAL EDUCATION FOR INCARCERATED**
4 **VETERANS.**

5 (a) IN GENERAL.—The Secretary of Veterans Af-
6 fairs, in coordination with the Director and State correc-
7 tional agencies, shall—

8 (1) carry out a program of outreach to inform
9 veterans incarcerated in a Federal or State correc-
10 tional facility about potential eligibility for edu-
11 cational assistance under laws administered by the
12 Secretary, including educational assistance under
13 chapters 30 and 33 of title 38, United States Code;

14 (2) ensure that educational assistance under
15 laws administered by the Secretary is available to a
16 veteran who is incarcerated as described in para-
17 graph (1) and otherwise eligible for the assistance;

18 (3) assist each veteran who is incarcerated as
19 described in paragraph (1) and eligible for edu-
20 cational assistance under a law administered by the
21 Secretary by connecting the veteran to one or more
22 quality correctional education programs, including
23 the Federal Correctional Education Program estab-
24 lished under section 4143 of title 18, United States
25 Code, as added by this Act, when the veteran is in-

1 carcerated in a Federal or State correctional facility
2 that provides one or more correctional education
3 programs that are approved for the use of such as-
4 sistance;

5 (4) provide financial aid counseling related to
6 continued educational enrollment and matriculation
7 post-release; and

8 (5) compile and make available to incarcerated
9 veterans a resource guide for incarcerated veterans
10 that includes general information about the avail-
11 ability, post-release, of—

12 (A) educational assistance available under
13 laws administered by the Secretary; and

14 (B) job counseling, training, and place-
15 ment services available under chapters 41 and
16 42 of title 38, United States Code.

17 (b) LIMITATION ON PROVISION OF EDUCATIONAL AS-
18 SISTANCE.—

19 (1) MONTHLY HOUSING STIPEND.—A veteran
20 with a felony conviction who is incarcerated in a
21 Federal or State correctional facility may not re-
22 ceive, while so incarcerated—

23 (A) any monthly housing stipend under
24 section 3313 of title 38, United States Code; or

1 (B) any amount under section 3014 of
2 such title otherwise payable to help meet the
3 veteran's subsistence costs.

4 (2) COSTS COVERED BY OTHER PROGRAMS.—
5 Notwithstanding any other provision of law, the Sec-
6 retary shall reduce the amount of educational assist-
7 ance that the Secretary would otherwise provide to
8 a veteran described in paragraph (1) under a law
9 administered by the Secretary for costs of tuition,
10 fees, supplies, books, equipment, and other edu-
11 cational costs relating to pursuing a program of edu-
12 cation while incarcerated by an amount equal to the
13 amount that such costs are paid by another Federal,
14 State, or local program.